

EXHIBIT A

From: [Srinivasan, Jay P.](#)
To: [John Karin](#)
Cc: *** [GDC EpicLitTeam](#); [Epic Mobile Apps](#); [Byrd, Rachele](#); [DeJong, Brittany](#); [robl@hbsslw.com](#); [benh@hbsslw.com](#); [bens@hbsslw.com](#); [Ted Wojcik](#)
Subject: RE: Apple App Cases -- Apple Depositions, Epic's Data Requests, Texts and Instant Messges
Date: Wednesday, December 16, 2020 2:07:29 PM

All,

So there is no confusion about what Apple offered on today's meet and confer to resolve the dispute on number of depositions, Apple's offer is that Plaintiffs may take up to 13 depositions of Apple witnesses. This number is exclusive of Eddy Cue and Craig Federighi. If the Court orders either or both of these depositions at the hearing scheduled for January 21, Apple agrees that those would be in addition to the 13. This offer is contingent on Plaintiffs' agreement that Apple can take the deposition of 13 Epic witnesses, and possibly 1-2 more depending on if Epic is successful with respect to Messrs. Cue and/or Federighi. Apple, of course, does not need a similar concession from either set of class plaintiffs.

We suggest a follow-up call this afternoon/evening so we can avoid wasting time and energy on motion practice on this.

Best,

Jay

Jay P. Srinivasan

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

333 South Grand Avenue, Los Angeles, CA 90071-3197

Tel +1 213.229.7296 • Fax +1 213.229.6296

JSrinivasan@gibsondunn.com • www.gibsondunn.com

From: John Karin <jkarin@cravath.com>
Sent: Tuesday, December 15, 2020 8:21 PM
To: Srinivasan, Jay P. <JSrinivasan@gibsondunn.com>
Cc: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>; Epic Mobile Apps <epic-mobileapps@cravath.com>; Byrd, Rachele <Byrd@whafh.com>; DeJong, Brittany <dejong@whafh.com>; robl@hbsslw.com; benh@hbsslw.com; bens@hbsslw.com; Ted Wojcik <tedw@hbsslw.com>
Subject: Re: Apple App Cases -- Apple Depositions, Epic's Data Requests, Texts and Instant Messges

[External Email]

Thank you, Jay. I will circulate a dial-in for noon tomorrow on Apple depositions and texts/IMs. Please do let us know about the data requests as soon as you are able.

John I. Karin

Cravath, Swaine & Moore LLP
[825 Eighth Avenue](#)
[New York, NY 10019-7475](#)
[\(212\) 474-1122](#) (direct)
[\(212\) 474-3700](#) (fax)

On Dec 15, 2020, at 11:03 PM, Srinivasan, Jay P. <JSrinivasan@gibsondunn.com> wrote:

John,

How about noon PT? We will be ready to talk deposition limits and IMs/texts. We will get back to you on the data requests. We want to make sure whatever time we propose will be productive.

Thanks,

Jay

Jay P. Srinivasan

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
333 South Grand Avenue, Los Angeles, CA 90071-3197
Tel +1 213.229.7296 • Fax +1 213.229.6296
JSrinivasan@gibsondunn.com • www.gibsondunn.com

From: John Karin <jkarin@cravath.com>

Sent: Tuesday, December 15, 2020 6:28 PM

To: *** GDC EpicLitTeam <AppleAppStoreDiscovery@gibsondunn.com>

Cc: Epic Mobile Apps <epic-mobileapps@cravath.com>; Byrd, Rachele <Byrd@whafh.com>; DeJong, Brittany <dejong@whafh.com>; robl@hbsslw.com; benh@hbsslw.com; bens@hbsslw.com; Ted Wojcik <tedw@hbsslw.com>

Subject: Apple App Cases -- Apple Depositions, Epic's Data Requests, Texts and Instant Messges

[External Email]
Counsel,

Please advise if you are available to meet and confer tomorrow during the period from 10:30 a.m. to 1:00 p.m. PT. Epic will be prepared to discuss depositions of Apple witnesses, Epic's data requests, and production of texts and instant messages. Epic believes that the parties must discuss at least depositions of Apple witnesses tomorrow per the Court's order. If Apple is not prepared to discuss Epic's data requests or production of texts and instant messages, please provide times for later this week.

Thank you.

John I. Karin
Cravath, Swaine & Moore LLP
825 Eighth Avenue

New York, NY 10019-7475

(212) 474-1122 (direct)

(212) 474-3700 (fax)

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.
